

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

A.W., R.M., R.A., and K.A., by and
through their guardian ad litem,
Wendy Bowen,

Plaintiffs,

v.

South Carolina Department of Social
Services, Michael Leach, Keoshea White,
and Nadira Cole,

Defendants.

Civil Action No.: 3:20-cv-02453-JMC

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ORDER AND OPINION

Eboni McMillian,

Plaintiff,

v.

South Carolina Department of Social
Services, Michael Leach, Keoshea White,
and Nadira Cole,

Defendants.

This matter is before the court pursuant to Plaintiffs’¹ Unopposed Motion to Consolidate (ECF No. 9, 11). The parties move the court to consolidate this case with a separate case in which Defendants South Carolina Department of Social Services (“SCDSS”) are also parties, *McMillian*

Plaintiffs in *A.W. v. SCDSS*, Civil Action No. 20-cv-02453 and Plaintiff in *McMillian v. SCDSS*, Civil Action No. 20-cv-02454, filed respective Motions to Consolidate. (ECF Nos. 9, 11).

v. SCDSS, et al., Civil Action No. 3:20-cv-02454-JMC. For the reasons stated below, the court **GRANTS** Plaintiffs' Motion to Consolidate in both cases. (ECF Nos. 9, 11).

The court may consolidate multiple pending actions involving "common question[s] of law or fact" into one action in the interest of efficiency. Fed. R. Civ. P. 42(a)(2). "District courts enjoy substantial discretion in deciding whether and to what extent to consolidate cases." *Hall v. Hall*, 138 S. Ct. 1118, 1131 (2018).

There are common questions of fact and questions of law in both cases. Plaintiffs bring several causes of action against Defendants including, negligence and alleged violations of a minor's rights under the Fourth, Fifth, and Fourteenth Amendments. (*See* ECF No. 1-1.) Further, Plaintiffs have consulted with counsel for all Defendants and Defendants consent to the granting of this Motion. (ECF No. 11.)

Upon review of the facts and law in each case, the court finds that there are common questions of law and fact within each case and that judicial efficiency is best served by consolidating the two cases. Accordingly, the court **GRANTS** the parties' respective Motions to Consolidate. (ECF Nos. 9, 11.) The cases are consolidated for pretrial purposes only.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

July 6, 2020
Columbia, South Carolina